

REMARKS

Reconsideration of the application identified in caption, pursuant to and consistent with 37 C.F.R. §1.111 and in light of the remarks which follow, is respectfully requested.

In the Official Action, claims 1, 3 and 10-12 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,197,847 (*Kato et al*) in view of either European Patent Document No. 1 205 815 (*EP '815*) or U.S. Patent Application Publication No. 2002/0147252 (*Adams*). Withdrawal of this rejection is respectfully requested for at least the following reasons.

Independent claim 1 is directed to an oil based ink composition for inkjet printer comprising colored resin particles comprising core/shell particles, the core/shell particles comprising: a core comprising a coloring component, wherein the coloring component comprises a pigment subjected to a surface treatment; and a shell layer comprising a resin component coating around the core, wherein the core/shell particles are obtained by dispersion polymerization of a monofunctional polymerizable monomer (A) and a monofunctional polymerizable monomer (B) copolymerizable with the monomer (A) having a substituent containing a silicon atom and/or a fluorine atom, with fine particles of the coloring component, which are dispersed in a non-aqueous solvent having a dielectric constant of from 1.5 to 20 and a surface tension of from 15 to 60 mN/m at 25 °C, as seed particles, in the presence of a dispersion stabilizer (P) soluble in the non-aqueous solvent and a polymerization initiator.

Applicants respectfully submit that one of ordinary skill in the art would not have been motivated to employ the surface treatments allegedly disclosed by *EP '815* and *Adams* in connection with the materials and processes disclosed by *Kato et al*. *EP '815* and *Adams* relate to ink compositions which are distinct from the composition of *Kato et al*, and the

advantages of employing surface treatments alleged by *EP '815* and *Adams* are with respect to the particular ink compositions disclosed by such documents. In light of such differences in materials and processes, one of ordinary skill would not have been motivated to employ the surface treatments disclosed by *EP '815* and *Adams* in connection with the materials and processes disclosed by *Kato et al.*

Furthermore, Applicants submit that surprising and unexpected results can be attained by employing the oil based ink composition in accordance with an aspect of the claimed invention, in the form of improved scratch resistance characteristics of images formed by such oil based ink composition. In this regard, attached hereto for the Examiner's consideration is a Declaration Under 37 C.F.R. §1.132 of Keitaro Aoshima.

As discussed at page 2 of the Declaration, experiments were conducted to observe the scratch resistance characteristics of images formed from comparative ink compositions prepared in accordance with examples disclosed by *Kato et al*, *EP '815* and *Adams*. The comparative ink compositions were tested in the same manner as Example 1 as set forth in the instant specification at pages 68-69. In all of the comparative examples, staining on the fingers was visually observed, and it was therefore found that all of the comparative examples had poor scratch resistance characteristics. By comparison, as discussed at pages 68-69 of the instant specification, an exemplary ink composition (IJ-1) was tested in the same manner as the comparative examples, and staining on the fingers was not visually observed at all. Thus, it was found that the use of an exemplary oil based ink composition in accordance with an aspect of the claimed invention resulted in an image having excellent scratch resistance characteristics.

In light of the surprising and unexpected results attainable by employing an exemplary inventive oil based ink composition, it is apparent that the obviousness rejection

based on the alleged combination of *Kato et al*, *EP '815* and *Adams* is untenable and should be withdrawn. Accordingly, for at least the above reasons, withdrawal of the rejection is respectfully requested.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited. If the Examiner has any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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Date: November 28, 2006

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